MINUTES - REGULAR MEETING
SANTA MARIA CITY COUNCIL

CITY HALL COUNCIL CHAMBERS
SANTA MARIA, CALIFORNIA

JULY 3, 2012

INVOCATION:
Roger Wheeler of Santa Maria Foursquare Church gave the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG:
Councilmember Boysen led the Pledge of Allegiance.

CALL TO ORDER:
Mayor Lavagnino called the Regular Meeting of the City Council to order at 6:30 p.m.

ROLL CALL:
MEMBERS PRESENT
Councilmembers Boysen, Cordero, Orach, Patino and Mayor Lavagnino.

STAFF MEMBERS PRESENT
City Manager Haydon, City Attorney Trujillo, Director of Public Works/City Engineer Whitehead, Director of Administrative Services Visé, Director of Utilities Sweet, Director of Community Development Appel, Director of Parks & Recreation Posada, Police Commander Ritz, Battalion Chief Johnson, and Acting Chief Deputy City Clerk Garietz.

1. PROCLAMATIONS/PRESENTATIONS:

A. 2012 D.A.R.E. ESSAY PRESENTATION
Police Officer Torres introduced Daniel Geiger, a sixth grade D.A.R.E. program graduate from Ontiveros Elementary School, who read an essay about his experience in the D.A.R.E. program and the impacts it will have on his life.

B. PROCLAMATION – RECREATION AND PARKS MONTH
Councilmember Orach read a proclamation declaring the month of June 2012 as "Recreation and Parks Month" in the City of Santa Maria, and encourage all the residents of Santa Maria to enjoy and recognize the social, physical, mental, economic, environmental, and community benefits derived from the City's various programs. The proclamation was accepted by Recreation and Parks Commissioner George.

2. PUBLIC COMMENT
Mark Rademaker spoke about his opposition to abortion.

Terri Zuniga spoke about her support of the Recreation and Parks Department, their efforts, and upcoming activities including a weekly radio show on KSMX and Concerts in the Park.

Edward Zemaitis, President of the Santa Maria Valley Historical Society and Museum, spoke about the Council's support of the museum with transient occupancy tax and the ways the museum has augmented reductions in funding by publishing a book of artifacts and providing research materials. He thanked the Council for its support.

Robert Scott requested that the Council consider implementing an ordinance against aggressive panhandlers. He cited an ordinance from the City of Santa Cruz asking that a proposed ordinance should also restrict panhandling within 15 feet of a stop sign, traffic medians, and parking lots. He asked the Council act quickly to avoid a potentially dangerous situation to the panhandler or to sympathetic donors.

Mayor Lavagnino indicated that this was a concern of his as well and asked the City Attorney to research an aggressive panhandling ordinance for Santa Maria.

City Attorney Trujillo indicated that he was in receipt of Mr. Scott's correspondence, and was already researching the matter. He would be providing information to the Council at a future meeting.

Councilmember Boysen commented that the agencies trying to combat homelessness within the City are against panhandling. With all the services available in the City, there was no need to panhandle. Food, shelter and clothing were available to anyone who qualified and asked for assistance. He stated that panhandling was more of a business opportunity, then a cry for help.

3. CONSENT CALENDAR
Councilmember Boysen indicated that he had a conflict and would be abstaining from voting on Item 3D, Payment of Warrants.

Councilmember Cordero asked to pull Item 3G for discussion. Councilmembers Patino and Boysen asked to pull Item 3H for discussion.

Item 3G – 2012-14 Contributions to Outside Agencies and Economic Development Services
Councilmember Cordero indicated that he contacted Mr. Hatch at the Chamber of Commerce for an explanation as to why the costs of doing business have gone up, but the payroll taxes had gone down. He stated that it did not seem correct. Mr. Hatch was presented to provide the explanation.

Bob Hatch, President of Chamber of Commerce, responded that in comparing the 2012-13 proposed budget to the 2011-12 actual budget, the amount of payroll taxes decreased from $19,830 to $16,464. It was calculated incorrectly in 2011-12 due to a highly compensated employee who ended the liability for taxes early on in the year, but payroll taxes continued to be taken out. It was corrected for the 2012-13 budget.

Item 3H - Alcoholic Beverage License.
Councilmember Patino asked if the license was being transferred from one business to another.

City Manager Haydon responded that the licensed had lapsed and the applicant was required to file a new application. If the applicant had filed within 90 days of it lapsing, the matter would not be before the Council this evening.

Director of Community Development Appel clarified that there was an existing market, and the previous owner did not pay his taxes to ABC; therefore, lost the license and went out of business. The new owner failed to apply for the license within 90 days necessitating the normal application process.

Councilmember Boysen requested that when considering new ABC licenses in the future that restrictions be placed on the sale of single cans and bottles. It might help with overcoming the stigma of adding one more liquor license to an already saturated neighborhood.

Consent Calendar Items 3A through 3I (except 3D) were approved on motion by Councilmember Cordero, seconded by Councilmember Boysen, and carried on the following vote:

AYES: Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: None

Consent Calendar Item 3D was approved on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES: Councilmembers Cordero, Orach, Patino, and Mayor Lavagnino
NOES: None
ABSENT: None
ABSTAIN: Councilmember Boysen

A. ORDINANCES.
The reading in full of all ordinances and resolutions was waived. Ordinances on the Consent Calendar were adopted by the same vote cast at the first reading unless City Council indicated otherwise.

B. MINUTES.
The Minutes of the Regular City Council Meeting of June 19, 2012, were approved as submitted.

C. PERSONNEL CHANGES AND CONFLICT OF INTEREST CODE AMENDMENTS.
Resolution Nos. 2012-74 and 2012-75 were adopted authorizing personnel changes regarding the creation of new classifications, modifications to specifications, reclassifications to existing positions, adjustments to salary ranges, abolishing a classification no longer in use, and amending the Conflict of Interest Code as a result of the adoption of the 2012-14 City Budget.

Resolution No. 2012-74 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING PERSONNEL CHANGES REGARDING NEW CLASSIFICATIONS, MODIFICATIONS TO SPECIFICATIONS AND SALARY RANGES, AND ABOLISHING A JOB CLASSIFICATION AS A RESULT OF THE 2012-14 BUDGET.

Resolution No. 2012-75 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, AMENDING APPENDIX "A" OF THE CONFLICT OF INTEREST CODE FOR DESIGNATED FILERS OF THE CITY OF SANTA MARIA.

D. WARRANTS.
Warrant Nos. 173338 to 173607 totaling $4,433,140.96 were ordered ratified subject to having been certified as being in conformity with the budget and having been approved for payment by the Director of Administrative Services. Warrant Nos. 171268 and 173305 were cancelled.

E. PAYROLL.
Payment of payroll was ordered ratified subject to having been certified by the proper Department Heads, as shown on records on file in the Department of Administrative Services and having been approved for payment by the Director of Administrative Services.

F. APPROPRIATION LIMIT.
Resolution No. 2012-76 was adopted establishing the City of Santa Maria's 2012-13 GANN Appropriation Limit.

Resolution No. 2012-76 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, ESTABLISHING AN APPROPRIATION LIMIT FOR 2012-13.

G. CONTRIBUTIONS TO OUTSIDE AGENCIES & ECONOMIC DEVELOPMENT SERVICES.
Resolution Nos. 2012-77, 2012-78, 2012-79, and 2012-80 were adopted approving operating agreements for 2012-13 and 2013-14 with the Santa Maria Valley Chamber of Commerce, the Santa Maria Valley Historical Society and Museum, the Santa Maria Museum of Flight, and approving an addendum to the current agreement between the City and the Chamber of Commerce for economic development services.

Resolution No. 2012-77 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN OPERATING AGREEMENT WITH THE SANTA MARIA VALLEY CHAMBER OF COMMERCE FOR VISITORS AND CONVENTION BUREAU SERVICES.

Resolution No. 2012-78 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN OPERATING AGREEMENT WITH AND ALLOCATION TO THE SANTA MARIA VALLEY HISTORICAL SOCIETY AND MUSEUM.

Resolution No. 2012-79 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN OPERATING AGREEMENT WITH AND ALLOCATION TO THE SANTA MARIA MUSEUM OF FLIGHT.

Resolution No. 2012-80 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, APPROVING AN ADDENDUM TO THE CURRENT AGREEMENT AND FUNDING FOR ECONOMIC DEVELOPMENT SERVICES WITH THE SANTA MARIA CHAMBER OF COMMERCE.

H. ALCOHOLIC BEVERAGE LICENSE.
The City Council made a finding of public convenience in the matter of the issuance of a Type 20 (Off-Sale Beer and Wine) alcoholic beverage license for sale of packaged beer and wine at Los Primos Market, 501 South Lincoln Street.

I. ORDINANCE NO. 2012-10.
The City Council conducted the second reading by title only of Ordinance No. 2012-10 setting a fee of $25.00 to purchase the reformatted and colorized versions of the General Plan Land Use Policy Map of the City of Santa Maria, SP-2012-0007, E-2012-0006.

Ordinance No. 2012-09 adopted. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, SETTING A FEE TO PURCHASE THE REFORMATTER VERSION OF THE GENERAL PLAN LAND USE POLICY MAP OF THE CITY OF SANTA MARIA, SP-2012-0007.

PUBLIC HEARINGS:

4. LANDSCAPE MAINTENANCE DISTRICT ASSESSMENTS.
Director of Recreation and Parks Posada gave a presentation as detailed in the written Council Agenda Report. The purpose was to confirm the assessment rates which were presented to the public and the City Council at the May 1, 2012, City Council Meeting for the City's four Landscape Maintenance Districts and their associated Special Benefit Zones. These assessments comply with the laws that govern Landscape and Lighting Districts under the California Streets and Highways Code and the 1972 Landscape and Lighting Act. By City Council's policy, any new residential or commercial development that occurs within the City of Santa Maria is conditioned to be annexed into a Landscape Maintenance District, and if necessary, a Special Benefit Zone. Per the Streets and Highway Code, a municipality is authorized with the "duty of superintending, directing, planting, maintaining, removing and otherwise caring for the parks, trees, shrubs and vegetation" as it pertains to a specific residential or commercial project directly associated with its corresponding Landscape Maintenance District or Special Benefit

Zone. The assessment amounts for Special Benefit Zones (SBZ) are based on the amount of square footage of public easement landscaping that is proposed for the project, and the intensity or amount of landscaping that is initially installed by the developer. Future increases in maintenance and utility costs and the renovation of landscaping and hardscape are also taken into consideration. In Fiscal Year 2012-13, it is projected that there will be 8,280 dwelling units and 538 commercial properties within the four Districts. There are 21 Special Benefit Zones that are assessed. These Districts and Special Benefit Zones and their respective revenue projections, were detailed in the Engineer's Report which was approved by City Council on May 1, 2012. The District maps showing the boundaries for each of the Districts and Special Benefit Zones were also included with the Engineer's Report. For the upcoming 2012-13 Fiscal Year, it is proposed that assessment rates be increased by 2.1% CPI which is derived by the U.S. Department of Labor, Bureau of Labor Statistics for Urban Los Angeles-Riverside-Orange County Areas generating $2,622,552 in revenue to fund maintenance services and operations based on the Engineer's Report. The General Fund will provide a financial contribution in the amount of $646,661 to be made on behalf of 21,160 commercial and residential properties which existed prior to the establishment of the Landscape Maintenance District and are not assessed.

Public Hearing
There were no written communications received.

Mayor Lavagnino opened the public hearing.

Bob Hatch spoke in support of the assessment districts. He has traveled to other cities where the streets were run down and the maintenance necessary was not being done. He said, it spoke to the quality of life in Santa Maria. The visitors he speaks to comment positively on how the City looks, the condition of the parks, and the maintenance of the streets and residential areas.

Laurie Tamura commented that you could see a demarcation from the Orcutt area as you are driving into Santa Maria. She congratulated the Recreation and Parks Department on their work and with the landscaping in the City. Without the landscaping districts, the major arterials would be uninviting and residential landscaping would be handled by homeowner's associations and the cost would be far more expensive.

With no other requests to speak, the public hearing was closed.

Councilmember Orach stated that he often hears comments from the public about Orcutt not having landscaping along its roadway like in the City. Where College ends and Bradley Road begins, there is no landscaping. He said, the work that had been done on Union Valley Parkway looked great and will be phenomenal when it opens to the freeway. He congratulated Director of Recreation and Parks Posada on the nice job.

Resolution Nos. 2012-81, 2012-82, 2012-83, 2012-84 were adopted approving the 2012-13 annual assessments for the City's four Landscape Maintenance Districts – Northwest Landscape Maintenance District, Northeast Landscape Maintenance District, Southwest Landscape Maintenance District, and South Miller Street/South College Drive Landscape Maintenance District and Special Benefit Zones, on motion by Councilmember Orach, seconded by Councilmember Patino, and carried on the following vote:

AYES:	Councilmembers Boysen, Cordero, Orach, Patino, and Mayor Lavagnino
NOES:	None
ABSENT:	None
ABSTAIN:	None

Resolution No. 2012-81 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTH MILLER STREET/SOUTH COLLEGE DRIVE LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-6.

Resolution No. 2012-82 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-9.

Resolution No. 2012-83 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE NORTHEAST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-10.

Resolution No. 2012-84 adopted. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA MARIA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENTS FOR THE SOUTHWEST LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT NO. DS-11.

CITY MANAGER'S REPORT
City Manager Haydon reported on items anticipated for the July 17, 2012, Council meeting including the Recreation and Parks Volunteer of the Month; Consent Calendar items awarding a bid for Broadway and Main Induction Streetlight Improvements, calling for bids for the 2013 street overlay and street maintenance (chip seal) projects; a Public Hearing for the annual weed abatement cost assessments; and Regular Business items certifying the election results for Measure U2012, and approving agreements with the State Board of Equalization for administration of Measure U2012 transactions and use tax.

ORAL REPORTS BY COUNCILMEMBERS
Councilmember Cordero reported that he attended a meeting at the Boys & Girls Club for Peace Week planning, a start-up meeting for a youth education and scholarship program that would address the Santa Maria Police Department Explorer POST, took a tour of Diablo Canyon, attended the Boys & Girls Club Waiter's Night and annual auction at the Country Club, and the retirement dinner for Patti Rodriguez.

Councilmember Orach reported that he attended a California Strawberry Commission meeting, a kick-off event for a campaign, the Angel of Hope bar-be-que, the All-America City Committee meet and greet at Fire Station No. 3, and the retirement dinner and party for Patti Rodriguez.

Mayor Lavagnino reported that he attended a SBCAG and APCD meetings in Buellton, the Explorers Institute, the "Fill the Boot for MDA" fundraiser event, a CCWA meeting, and the retirement dinner and party for Patti Rodriguez.

Councilmember Patino reported that she spoke on KUHL radio giving a recap of the Council meeting with Ben Heighes, an ECON North Santa Barbara County meeting, the "Fill the Boot for MDA" fundraiser event at McCoy and Broadway, the Angel of Hope bar-be-que at Calvary Chapel, took a DMV driving test, attended a Rotary Club meeting, the Boys & Girls Club Waiter's Night and annual auction at the Country Club, the first meeting of Santa Maria Beautiful Resurrected, the Central Coast Parade in Guadalupe, the retirement dinner for Patti Rodriguez, and the Patriotic Sunday service at First Baptist Church.
Councilmember Boysen reported that he was on grandchild watch. He toured Diablo Canyon.

The Council wished Councilmember Patino a Happy Birthday.

ADJOURNMENT
There being no further business to come before the City Council at this time, the meeting was declared adjourned by Councilmember Cordero at 7:33 p.m. in honor of his grandson's, Albert Alex Cordero II, third birthday on July 4th.

APPROVED

July 17, 2012
Date

Acting Chief Deputy City Clerk of the City of Santa Maria and ex officio Clerk of the City Council

Mayor of the City of Santa Maria

ATTEST

Acting Chief Deputy City Clerk